

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
BEAUMONT DIVISION**

SHANE M. POMPURA

v.

VISA, INC., et al.

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NO. 1:16-CV-518

**AMENDED REPORT AND RECOMMENDATION DENYING
MOTION TO PROCEED IN FORMA PAUPERIS**

This case is assigned to the Honorable Thad Heartfield, United States District Court Judge, and is referred to the undersigned for pretrial management, pursuant to General Order 05-07. Before the Court is *pro se* Plaintiff Shane M. Pompura's motion to proceed *in forma pauperis*. Doc. No. 2. The undersigned recommends that this motion be denied.

In his application to proceed *in forma pauperis*, Pompura indicates that he is currently employed at a salary of \$2,500 per month. Doc. No. 2, at 2. He also indicates that he recently received a gift of \$15,000.00 from his parents. *Id.* at 3.

Pompura has previously been denied applications to proceed *in forma pauperis* in this District. *See* No. 4-16-cv-766, Doc. No. 12 (E.D. Tex. Nov. 4, 2016) (Mazzant, J.). Pompura has also been denied applications to proceed *in forma pauperis* as recently as December 9, 2016, in the Southern District of Texas. *See* No. 4:16-mc-2881, Doc. No. 2 (S.D. Tex. Dec. 9, 2016). Finally, Pompura has filed eighteen different *pro se* cases in each of the four districts in the State of Texas, all since September 26, 2016, and most, if not all of them have contained applications to proceed *in forma pauperis*. *See, e.g.*, No. 1:16-cv-1099, Doc. No. 2 (W.D. Tex. Sept. 26, 2016); No. 3:16-cv-2767, Doc. No. 4 (N.D. Tex. Sept. 29, 2016).

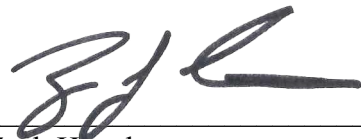
OBJECTIONS

Pursuant to 28 U.S.C. § 636(b)(1)(c) (Supp. IV 2011), each party to this action has the

right to file objections to this report and recommendation. Objections to this report must (1) be in writing, (2) specifically identify those findings or recommendations to which the party objects, (3) be served and filed within fourteen days after being served with a copy of this report; and (4) be no more than eight pages in length. *See* 28 U.S.C. § 636(b)(1)(c); Fed. R. Civ. P. 72(b)(2); Local Rule CV-72(c). A party who objects to this report is entitled to a de novo determination by the United States District Judge of those proposed findings and recommendations to which a specific objection is timely made. *See* 28 U.S.C. § 636(b)(1)(c); Fed. R. Civ. P. 72(b)(3).

A party's failure to file specific, written objections to the proposed findings of fact and conclusions of law contained in this report, within fourteen days of being served with a copy of this report, bars that party from: (1) entitlement to de novo review by the United States District Judge of the findings of fact and conclusions of law, *see Rodriguez v. Bowen*, 857 F.2d 275, 276-77 (5th Cir. 1988), and (2) appellate review, except on grounds of plain error, of any such findings of fact and conclusions of law accepted by the United States District Judge. *See Douglass v. United Servs. Auto. Ass'n*, 79 F.3d 1415, 1428-29 (5th Cir. 1996).

SIGNED this 29th day of December, 2016.

A handwritten signature in black ink, appearing to read 'Zack Hawthorn', written over a horizontal line.

Zack Hawthorn
United States Magistrate Judge